

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JANICE DUNNING,

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Plaintiff,

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vs.

)

)

Case Number

2:03-cv-344-TMP-UWC

)

TYSON FOODS, INC.,

)

)

Defendant.

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ORDER

On September 9, 2005, the magistrate judge filed his report and recommendation in the above-styled cause, recommending that the motion for summary judgment filed by defendant Tyson Foods, Inc. be granted and that the plaintiff's claims as set forth in the complaint be dismissed with prejudice. No objections have been filed by either party.

Having now carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the report is due to be and hereby is ADOPTED, and the recommendation is ACCEPTED. Because there are no genuine issues of material fact and because the defendant is entitled to judgment as a matter of law, the motion for summary judgment filed by defendant Tyson Foods, Inc., is GRANTED, and this action is hereby DISMISSED WITH PREJUDICE.

Done this 29th day of September, 2005.



U.W. Clemon
Chief United States District Judge

